

November 6, 2002

Robert J. Whiting  
Chief, Regulatory Branch  
Department of the Army  
St. Paul District, Corps of Engineers  
190 Fifth Street East  
St. Paul, MN 55101-1638

RE: 94-01298-IP-DLB

Dear Mr. Whiting:

I have received the copies of the draft of Chapter 3.10, Visual Resources, of the U.S. Corps of Engineers Environmental Impact Statement (EIS) for the Crandon Mine Project on October 9, 2002, for review and comment, as per our cooperative agency agreement.

Though comments on Sub-chapter 3.10 are provided below, EPA fully retains its independent review responsibilities under Section 309 of the Clean Air Act (42 U.S.C. § 7609) and NEPA and its implementing regulations as outlined in the EPA/COE cooperative agreement. In addition, since the sub-chapter is not yet complete and is "out of context" with the rest of the EIS, more comments may be forthcoming once the initial draft of the EIS is presented for comment.

I have sent this sub-chapter to various programs within EPA Region 5 and did not receive any comments. Visual impacts, though they may be aesthetically or culturally damaging, do not tend to impact the environment beyond the physical presence of the structure or activity causing the visual impairment, and those issues/impacts would be discussed in other chapters of the draft EIS. Nonetheless, I have several comments relating to this draft chapter as follows:

1) The Draft Technical Memorandum that accompanied the request for the review of the draft sub-chapter was appreciated. It provided good background into what the COE used for the basis of their project descriptions and issues. Similar technical memos should be provided for subsequent COE draft EIS chapters. The COE will need to consider if additional work is needed to fully evaluate the potential visual impacts based on comments presented by Estaban Chiriboga, Great Lakes Fish and Wildlife Commission, and others during the conference call on October 4, 2002. Comments such as why were, within the plant site, only the visual impacts from the two headframes evaluated, as there are several plant buildings that will be higher than the east (the smaller of the two) headframe. Also, several of the balloon visualization tests were

obscured due to fog, clouds, rain, etc., and these tests should be redone on clearer days. These tests also should be conducted in the winter months when the leaf-off period is occurring.

2) Section 3.10.3., Issues Addressed in the Impact Analysis and Section 3.10.4, Impact Topics: Section 4.3.10 of the COE draft Scoping Document, dated March 2001, included issues related to not only the residents of Ground Hemlock Lake, but also of the Mole Lake Reservation. The third bullet of each of these sections should include “and the Residents of Mole Lake”. One of the viewpoints, viewpoint #10, does take into consideration a portion of the Mole Lake Reservation.

3) Section 3.10.5, Description of the Impact Area of Influence:

This section states that the impact area of influence covers a 6-mile-wide zone surrounding the proposed action features. This should state that the area of influence is a 6-mile zone surrounding the center of the Crandon Mine Project Boundary. By stating that the impact area is a 6-mile zone surrounding the proposed action features is misleading since parts of the proposed features are within only several miles (i.e., access road and the SAS) off of the exterior of the 6-mile radius. In addition, increased truck and rail traffic will be visually impacting areas outside of the defined impact area of influence. Will this issue be addressed?

4) Section 3.10.7.1, Identification of Sensitive Viewpoints:

Table 1 includes the viewpoint locations concerning the Headframe. One of the viewpoints evaluated is Spirit Hill. Why isn't Spirit Hill also a viewpoint location for the TMA, as presented in Table 2? With the proposed TMA being a potential permanent fixture, versus the headframe being a temporary one, visual impacts from the local high of Spirit Hill should be evaluated with regard to the TMA. In addition to the leaf off period, would the plant site and TMA become more visible if Spirit Hill were to be logged? What is the potential for logging on Spirit Hill? What is the likelihood of forest fires in the area, thus eliminating the trees as a visual screen within the evaluations?

5) Section 3.10.7.6.1.1, Changes in Visual Resources in Project Area:

This section (and within Table 4) does not say anything about the antenna, with a flashing red light, that will be placed on or within the main headframe (See Draft Chapter 2, Section 2.3.3.4 and Section 3.10.7.6.2.2 of this sub-chapter). Section 3.10.7.6.2.2 states that these warning lights would not result in a significant visual impact, but Table 4 does not give any indication that the Headframes were evaluated with the blinking antenna lights (and additional height?) drawing more attention to the structures. Also, will there be any guy wires associated with the antenna that may make the tower more visible from one or more of the viewpoints? Will the headframe and antenna become a hazard for migratory birds, as communication towers often do?

6) Section 3.10.7.6.1.2, Night Lighting at the Mine:

Are there any outdoor camps (i.e., scout camps) or other groups nearby that may have astronomy- based interests impacted by the project's lights?

Thank you for the opportunity to review this document and to provide comments. Further input

regarding sub-chapter 3.10, Visual Resources, may be forthcoming depending on the responses to the comments above and on future reviews of the COE's draft and final documents. If you have any questions on the above, please give me a call at 312-886-7252.

Sincerely,

**SIGNED BY DJC ON 11/6/02**

Daniel J. Cozza, Crandon Mine Project Manager  
U.S. Environmental Protection Agency

cc:

J. Ahlness, COE  
D. Alberts, NMC  
D. Cox, Menominee  
R. Ferdinand, Mole Lake  
T. Van Zile, Mole Lake  
Chairman Harold Frank, FCP  
J. Coleman, GLIFWC  
A. McCammon Soltis, GLIFWC  
M. DeVetter, WDNR  
M. Manydeeds, BIA  
J. Clancy, Godfrey and Kahn/FCP  
J. Trick, USFWS